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12 *Attorney for Petitioner Ubaldo Saldana-Garcia

13 UNITED STATES DISTRICT COURT
14 DISTRICT OF NEVADA

15 Ubaldo Saldana-Garcia,

16 Petitioner,

17 v.

18 Brian Williams, *et al.*,

19 Respondents

Case No. 2:19-cv-00441-APG-BNW

**Unopposed Motion to Extend the
Deadline for Filing an Opposition
to Motion to Dismiss**

ORDER

1 **POINTS AND AUTHORITIES**

2 Petitioner Ubaldo Saldana-Garcia respectfully requests an extension of 55
3 days until March 17, 2020 to file his Opposition to the warden's Motion to Dismiss.

4 He is currently seeking federal habeas relief from this Court.¹ Atty. S. Alex
5 Spelman drafted and filed Saldana-Garcia's amended petition on October 24, 2019.²
6 A few weeks earlier, undersigned counsel filed her notice of appearance, and has
7 since taken over the case.³

8 Warden Brian Williams filed a motion to dismiss some of Saldana-Garcia's
9 claims on January 6, 2020, after receiving a single extension.⁴ At the same time,
10 and without Saldana-Garcia's objection, Williams sought to seal the entire case.⁵
11 That motion remains pending.

12 Based on the local rules, Saldana-Garcia's Opposition is due 14 days later on
13 January 21, 2020.⁶ Williams has attacked the majority of Saldana-Garcia's claims
14 on exhaustion grounds.⁷ Counsel has not been able to complete Saldana-Garcia's
15 Opposition in the last two weeks.

16 This is Saldana-Garcia's first request for an extension.

17 The requested extension is not for the purpose of delay but in Saldana-
18 Garcia's best interest and the interests of justice. It takes into consideration
19 counsel's obligations on other cases and upcoming travel. Counsel will be out of the
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¹ ECF No. 4.

23 ² ECF No. 13.

24 ³ ECF No. 12.

25 ⁴ ECF Nos. 15, 16.

26 ⁵ ECF No. 17.

27 ⁶ ECF No. 9 at 2 (adopting Local Rule 7-2(b) for motions).

⁷ ECF No. 16, challenging Claims 1, 2, 4, 6, 7, 8, and 9.

1 office January 31, 2020, February 7-14, and 21, 2020, and March 2-3, 2020 on
2 personal and work-related matters.

3 On January 21, 2020, counsel exchanged e-mails with Williams's attorney,
4 Deputy Attorney General Charles L. Finlayson, who does not object to this request.

5 Accordingly, for all of the above reasons, Saldana-Garcia respectfully asks
6 this Court to grant his request and enter an order extending his deadline by 55 days
7 until March 17, 2020.

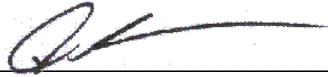
8 Dated January 21, 2020.

9 Respectfully submitted,

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11 Rene L. Valladares
12 Federal Public Defender

13 /s/Amelia L. Bizzaro
14 Amelia L. Bizzaro
15 Assistant Federal Public Defender

16 IT IS SO ORDERED:

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19 _____
20 United States District Judge

21 Dated: 01/21/2020
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